

SEP 13 2011

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JARMAL ANTHONY JOYNER,	)	CASE NO. 7:11CV00302
	)	
Petitioner,	)	
	)	
vs.	)	FINAL ORDER
	)	
DIRECTOR, VIRGINIA DEPARTMENT	)	
OF CORRECTIONS,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Respondent.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the respondent's motion to dismiss (ECF No. 13) is **GRANTED**, the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice as successive, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 13<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Chief United States District Judge